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22/3641  
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## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable:

DUPLICATE

Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No.	960514.CNC
First Named Inventor	Moser, John R., JR
Examiner Name	Edward Miller
Group / Art Unit	3641
Express Mail Label No.	EL-732626665 US

This is a request for a  continuation or  divisional application under 37 C.F.R. § 1.53(d),  
(continued prosecution application (CPA)) of prior application number 09/088,163,  
filed on 6/1/98, entitled REDUCED ENERGY BINDER FOR ENERGETIC COMPOSITIONS

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**CPA NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to copies of or information concerning the prior application may be given similar access to, copies of or similar information concerning the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request 37 C.F.R. § 1.78(a).

1.  Enter the unentered amendment previously filed on May 15, 2001 under 37 C.F.R. § 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53 (d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....  
.....
  - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a.  PTO-1449
  - b.  Copies of IDS Citations

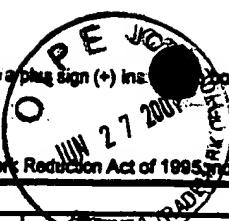
06/29/2001 JADDD1 00000036 081265 09088163

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PTO/SB/29 (2/98)

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS	
	TOTAL CLAIMS (37 C.F.R. § 1.16(c) or (l))	-20* =		x \$ _____ = \$		
	INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b) or (l))	-3** =		x \$ _____ = \$		
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))			+ \$ _____ = \$		
				BASIC FEE (37 C.F.R. § 1.16)	710.00	
				Total of above Calculations =		
	Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28).					
	<input checked="" type="checkbox"/> Reissue claims in excess of 20 and over original patent. <input checked="" type="checkbox"/> Reissue independent claims over original patent.					
						TOTAL = 710.00

6. Small entity status:

- a.  A small entity statement is enclosed, if (b) and (c) do not apply.
- b.  A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c.  Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 08 - 1265:

- a.  Fees required under 37 C.F.R. § 1.16.
- b.  Fees required under 37 C.F.R. § 1.17.
- c.  Fees required under 37 C.F.R. § 1.18.

8.  A check in the amount of \$710.00 is enclosed.

9.  Other: .....  
.....

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**NOTE:** The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label



or  New correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	C. G. Mersereau				
	NIKOLAI, MERSEAU & DIETZ, P.A.				
Address	900 Second Avenue South, #820				
City	Minneapolis	State	MN	Zip Code	55402
Country	USA	Telephone	612-339-7461		Fax 612-349-6556

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)

C. G. Mersereau

Signature

Registration No. (Attorney/Agent)

2,652,055

Date



Express Mail Label #EL-732626665-US  
PATENT APPLICATION  
Our File No. 960514.CNC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : John R. Moser, Jr. : June 27, 2001  
S.N. : 09/088,163 : Art Unit 3641  
Filed : June 1, 1998  
For : REDUCED ENERGY BINDER FOR  
ENERGETIC COMPOSITIONS

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CERTIFICATE OF MAILING VIA EXPRESS MAIL

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Box CPA  
The Commissioner of Patents and Trademarks  
Washington, D. C. 20231

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Sir:

I hereby certify that the following:

1. Continued Prosecution Application (CPA) Request Transmittal for a Continuation application of prior complete co-pending application Serial No. 09/088,163, filed June 1, 1998, consisting of 2 pages;
2. A copy of a One-Month Petition for Extension of Time filed in the prior application; and
3. A check in the amount of \$710.00 to cover the filing fee in connection with the above-identified patent application are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Box CPA, Commissioner of Patents and Trademarks, Washington, D. C. 20231, under Express Mail Post Office to Addressee Label No. EL-732626651-US.

Respectfully submitted,  
NIKOLAI, MERSEREAU & DIETZ, P.A.

*Barbara L. Davis*

Barbara L. Davis  
Secretary to C. G. Mersereau  
Attorney for Applicant